

IN THE MATTER OF APPLICATION NO. )  
24256 FILED DECEMBER 1, 1967, BY )  
KITTY Z. MCCRACKEN TO APPROPRIATE )  
WATER FROM AN UNDERGROUND SOURCE )  
IN WHITE PINE COUNTY, NEVADA. )

R U L I N G

GENERAL:

Application 24256 was filed on December 1, 1967, by Kitty Z. McCracken to appropriate 5.4 c.f.s. of water from an underground source for irrigation and domestic purposes. The proposed point of diversion is within SW $\frac{1}{4}$ NE $\frac{1}{4}$  Section 15, T.17N., R.63E., M.D.B.&M. The proposed place of use is the SW $\frac{1}{4}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ NE $\frac{1}{4}$  Section 15, T.17N., R.63E., M.D.B.&M.

Application 24256 was protested on February 6, 1968, by Kennecott Copper Corp. on the grounds that it would impair and conflict with the value of existing rights; that it would be against public policy to grant said application; and that it would be contrary to statute.

A field investigation in the matter of Application 24256 was made on March 19, 1968.

The applicant is the entryman under Desert Land Entry Serial No. Nev. 060882, which embraces the lands described as the place of use in Application 24256. Applicant is also the owner of valid Permit 22319 which covers the same lands, among others, as those described in Application 24256. Applicant has also filed Application 24255 to change the point of diversion under Permit 22319.

There are no valid existing permits or applications for appropriations located within one-half mile of the proposed appropriation.

OPINION:

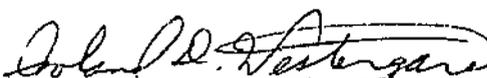
It is the opinion of the State Engineer that the granting of a permit under Application 24256 will not conflict with or impair the value of existing rights, or be detrimental to the public interest, or be contrary to statute.

RULING:

The protest of Application 24256 is hereby over-ruled, and a permit will be issued on receipt of the statutory permit fees. The permit will be issued subject to the limitation that the total duty of water for the lands irrigated shall not exceed 4.0 acre-feet per acre per annum from any and/or all sources.

Dated this 11th day  
of April, 1968.  
RDW:JCP:jw

Respectfully submitted,

  
ROLAND D. WESTERGARD  
State Engineer